

**‘*Misericordia* in Aquinas: A Test Case for Theological and Natural Virtues’
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Jaarboek Thomas Instituut te Utrecht 33 (2013), p. 9-54

continued as
European Journal for the Study of Thomas Aquinas (2019 - ...)



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MISERICORDIA IN AQUINAS
A Test Case for Theological and Natural Virtues
[Elaborate Version]

John O'Callaghan

Introduction

Aquinas's treatment of *Misericordia* ^{* see endnote} presents a good test case for considering the relationship of infused theological virtues to the so-called natural virtues. In the first question of the *Summa Theologiae*, Aquinas argues for the necessity of a revelation from God that reveals not only those things that cannot be understood about God by human endeavor, but also many things that can be known by human rational endeavor unassisted by revelation. The reason that these truths that can be known apart from revelation are nonetheless revealed is that they are necessary for salvation, and without revelation are very difficult to know, take a long time to know, and will most likely be accompanied by a great deal of error. The emphasis there is upon revelation as a kind of cognitive resource for salvific knowledge about God. The thesis of this paper is that Aquinas's discussion of *Misericordia* in the *Summa* provides a kind of practical analogue in the life of virtue and action to the point that Aquinas made about the philosophical disciplines in the first question. *Misericordia* it turns out is a natural virtue that is nonetheless an effect of *Caritas*. As a natural virtue it can in principle be acquired by human endeavor unassisted by the gift of grace that infuses *Caritas*. If acquired by human endeavor alone it will not bear upon salvation and eternal happiness, but the happiness of this mortal life. And yet, as an effect of *Caritas* when it is infused, presumably because in the moral life it is like those speculative truths of the philosophical disciplines, it is necessary for salvation. Apart from *Caritas* it is very difficult to acquire, would take most of a life to do so, and

would likely be associated with much practical error. In addition, when it is brought about by *Caritas*, it is in fact infused and elevated to bear upon eternal beatitude. *Misericordia* is seen then to be a natural virtue that is nonetheless necessary for salvation. However, this salvific context for Aquinas's discussion causes him to depart radically from the pagan philosophical discussion he inherits in arguing that it is a natural virtue.

I will not argue here for most of the claims made above, just the last one. I will consider Aquinas's discussion of it as a natural virtue, in order to show how he departs radically from the philosophical traditions he engages while discussing it, even as he argues for its character as a natural virtue and seeks to see his discussion in continuity with those philosophical traditions. I will proceed first by introducing briefly the tension between theological and natural virtues in relation to *Misericordia*. Second, I will look selectively at the Greek and Roman background of Aquinas's discussion of *Misericordia*, particularly the sources he replies upon, Aristotle, Seneca, and Cicero, and then finally proceed to Aquinas's discussion proper to see the ways it presupposes but also critically and significantly departs from the ancient discussion.

In giving a practical analogue in the discussion of *Misericordia* to the speculative truths considered in the first article of the first question, Aquinas enacts what he had argued in article four of that first question, namely that *Sacra Doctrina* is both a speculative and a practical science.

The Problem: Natural versus Theological Virtues

The natural virtues pertain to a happiness that is proportionate to human nature, and that can be acquired by means of the principles of human nature and action that are directed to that proportionate end. They are directed to goods attainable through human action proceeding from those natural principles. Theological virtues pertain to "another" different happiness that surpasses human nature, a happiness that can only be acquired by God's power infusing the principles of action that are directed to

that supernatural end by a kind of participation in divinity.¹ The natural virtues are divided into the intellectual and moral virtues, while the theological virtues are divided into Faith, Hope, and Charity (*Caritas*). Aquinas clearly identifies *Misericordia* as a moral virtue when he discusses it. It follows from that identification that it is not for him a theological virtue. Of itself it pertains to the happiness proportionate to human nature, not the “other” happiness made available by God’s grace.

And yet the context for his identification of it as a moral virtue in the *Summa Theologiae* is in the discussion of *Caritas*. Aquinas argues that *Misericordia* is one of the interior effects of *Caritas*. *Caritas* is of course the exemplar of an infused theological virtue. It is brought about in a human being by God’s grace and cannot be acquired by human effort. It bears upon that “other” end that is not proportionate to human nature. And so as an effect of a theological virtue, one might think that *Misericordia* should not be considered a natural virtue, since as an effect of *Caritas* it also bears upon the end that is not proportionate to human nature. *Misericordia* is also discussed throughout Holy Scripture, most especially in the Psalms and in the parable of the Good Samaritan. God is regularly described as a “merciful” God. For example, the Vulgate of Exodus 22:27 says in the voice of God “si clamaverit ad me exaudiam eum quia misericors sum.” The Greek of Luke’s Gospel relating the parable of the Good Samaritan uses the term ‘*ἔλεος*’, and the Vulgate has ‘*Misericordia*’. Thus for the Christian tradition that Aquinas presupposes *Misericordia* has a distinct relation to sacred revelation in Jewish and Christian history, and it seems to have a distinctly religious character.² A

¹ “Est autem duplex hominis beatitudo sive felicitas, ut supra dictum est. Una quidem proportionata humanae naturae, ad quam scilicet homo pervenire potest per principia suae naturae. Alia autem est beatitudo naturam hominis excedens, ad quam homo sola divina virtute pervenire potest, secundum quandam divinitatis participationem; secundum quod dicitur II Petr. I, quod per Christum facti sumus consortes divinae naturae.” *STh* I-II, q. 62, a 1 co.

² For a discussion of Compassion in Jewish and early Christian history, as well as its relation to pagan philosophy, particularly that of Aristotle, see Christoph Markshies, “Compassion: Some Remarks on

final reason for thinking that *Misericordia* sits uneasily as a natural virtue is the treatment it received at the hands of the major Greek and Roman philosophers. Aquinas engages in his theological discussion of the virtues, Aristotle, Cicero, and Seneca, who, as we will see, by and large either ignored it as a virtue or dismissed it.

The philosophers' treatment of *ἔλεος* is all the more striking against the background of Athenian religious piety, for as related by a number of classical sources there was a temple in Athens dedicated to the god *ἔλεος*. "In the Athenian market-place among the objects not generally known is an altar to Mercy [*ἔλεος*], of all divinities the most useful in the life of mortals and in the vicissitudes of fortune, but honored by the Athenians alone among the Greeks."³ One might conclude that in ordinary Greek religious

Concets of Divine and Human Compassion in Antiquity." *Proceedings of the Israel Academy of Sciences and Humanities*, VIII.5, 91-104. Among other things Markshies disagrees with and seeks to mitigate the thesis of David Konstan in *Pity Transformed*, (London: Duckworth, 2001) that there is a large gap between classical thoughts on Pity and the Christian tradition. For a discussion of *ἔλεος* particularly in relation to Jewish and Christian practices of alms giving, see Gary Anderson, *Charity*. New Haven: Yale University Press, 2013.

³ Pausanias. *Pausanias Description of Greece with an English Translation* by W.H.S. Jones, M.A. in Six Volumes. London, William Heinemann Ltd. 1931. BK I-II. I.17.1. Loeb Classical Edition. And Statius in Latin writes, "There was in the midst of the city an altar belonging to no god of power; gentle Clemency [*Clementia*] had there her seat, and the wretched made it sacred; never lacked she a new suppliant, none did she condemn or refuse their prayers. All that ask are heard, night and day may one approach and win the heart of the goddess by complaints alone. No costly rites are hers; she accepts no incense flame, no blood deep-welling; tears flow upon her altar, sad offerings of severed tresses hang above it, and raiment left when Fortune changed. Around is a grove of gentle trees, marked by the cult of the venerable, wool-entwined laurel and the suppliant olive. No image is there, to no metal is the divine form entrusted, in hearts and minds does the goddess delight to dwell. The distressed are ever nigh her, her precinct ever swarms with needy folk, only to the prosperous is her shrine unknown." *Statius Thebaid with an English Translation* by J. H. Mozley in Two

thought and practice, at least Athenian, thinking of *ἔλεος* as a positive element within human life pertains, as it does in Jewish and Christian biblical revelation, to religious devotion and inspiration, not the philosophically purified moral character of Virtue Ethics. So perhaps Aquinas is wrong or inconsistent, and *Misericordia* ought really to be considered a theological virtue associated with divinity and not accessible to the pagan philosophical wisdom of the Greeks and Romans even as it is intimated at in ordinary Athenian piety. At the very least there is an uneasy tension in the background sources of Aquinas's discussion, theological and philosophical, even as he argues for its being a natural virtue.

On the other hand, one reason for thinking that it ought to be considered a natural virtue is that even as the pagan philosophers either ignored or dismissed it as a virtue, they recognized the *passion* that it pertains to—suffering within oneself when one apprehends the suffering of another. The Greek term for this passion was the same term used by Luke in his gospel—*ἔλεος*. For the pagans it is a recognizable and natural human passion. The theological virtues that are the gifts of grace can be said to pertain to a passion for God and neighbor as beloved by God that we do not ordinarily have and that is not proportionate to human nature.

Volumes, Cambridge: Harvard University Press, 1989, Bk V-XII. XII.481-496. Notice the use of '*Clementia*' in Statius' Latin for the Greek *ἔλεος*, instead of '*Misericordia*'. David Konstan discusses the scholarship on the ambiguity of Latin terminology involving '*Misericordia*' and '*Clementia*' at this time in Roman linguistic practice, as well as the later separation of the terms. See "Clemency as a Virtue," *Classical Philology*, Vol. 100, No. 4 (October 2005), 337-346. We will see below that while Cicero will use '*Misericordia*' to refer to what will later clearly be distinguished as *Clementia*, Seneca will explicitly distinguish *Clementia* from *Misericordia* precisely to praise the former and abuse the latter. And Cicero will himself abuse *Misericordia* proper in his *Tusculan Disputations*. For more on the altar of *ἔλεος* see "The Altar of Eleos," R. E. Wycherley, *The Classical Quarterly*, New Series, Vol. 4. No. 3/4, 143-150. See also, "The Altar of Pity in the Athenian Agora," Homer A. Thompson, *Hesperia: The Journal of the American School of Classical Studies at Athens*, vol. 21, No. 1, 1952, 47-82.

But it is manifestly false that human beings only experience the passion of pain at the sight of another's pain as a result of the gift of grace and the infusion of *Caritas*. Even animals other than human beings experience analogues of this passion. So at least the passion is recognizably natural and proportionate in us to our human animal natures. But, as Aristotle makes clear,⁴ it is the task of the virtues guided by prudence to bring strength, stability, and excellence to the human passions and actions that arise within the particular conditions of daily life. So it seems that if there is a virtue of *Misericordia* it ought to be considered a moral virtue because it pertains to a natural human passion, which would place it, as Aquinas argues, within the context of the natural virtues not the theological.

The Greek and Roman Background: Greek Tragedy

Because of the role that the Greek tradition of tragic drama plays in Aristotle's later reflections upon *Ἔλεος* in his *Poetics* and *Rhetoric*, I want to consider briefly that tradition as we see it in the story of Achilles and Priam from the *Illiad*. Priam comes to Achilles to beg for pity and ask for his son Hector's dead and desecrated body. Priam mentions Achilles's father Peleus, reminding him of his sufferings in the absence of Achilles off to war. Priam then says that his own sufferings are that much greater than Achilles's father's for he Priam has lost all of his sons to the war, and in particular his heroic son Hector lies dead outside Achilles's tent, his body desecrated by Achilles in his sorrow and rage at the recent loss of beloved Patroclus at the hands of Hector

⁴ "Now excellence is concerned with passions and actions, in which excess is a form of failure, and so is defect, while the intermediate is praised and is a form of success; and both these things are characteristics of excellence. Therefore excellence is a kind of mean, since it aims at what is intermediate," NE II.6 1106b24-26. Aristotle. *Nichomachean Ethics*, Transl. W. D. Ross, revised by J. O. Urmson, *The Complete Works of Aristotle: Revised Oxford Translation*, Ed. Jonathan Barnes, Princeton: Princeton University Press, 1984.

and others. Achilles's memory of Peleus causes him to experience pain and weep for his father. He and Priam then sit down together weeping in their sorrow, the one for his son the other for his father. Only after he has wept for his own father, and put away the pain in his heart, does Achilles turn to grant Priam's request, proceeding to lament the fate of men at the hands of the gods, particularly Zeus who doles out happiness to some and sorrow to others. The word Priam uses in begging for pity is 'ἐλέησον', imperative form of the verb 'ἐλέεω' and cognate to 'ἔλεος' which is commonly translated in English as 'pity'.⁵

But there is a curious feature to this scene from the *Illiad*, if we look at it closely. The scene of the two men weeping together is extraordinarily moving. And yet it isn't Priam's suffering as such that pains Achilles, moves him to tears, and the act that follows. On the contrary, Priam's tears along with Priam's words about Achilles's father are the occasion for Achilles to experience 'ἔλεος', which then prompts him to lament the suffering of mankind at the hands of the gods. In that respect it is a much more complicated scene than a straightforward scene of being pained at the sight of another's suffering and acting to alleviate that suffering because of the pain. It is the memory of his father's suffering that causes pain in Achilles', and reflection upon the near universal suffering of mankind at the hands of the gods that moves him to grant Priam's request.⁶ Achilles must first relate the suffering of Priam to someone close to him—his own father. He then universalizes that thought of suffering. So Achilles doesn't suffer with Priam as such. He certainly doesn't identify with Priam's suffering. They suffer together but not with one another.⁷

⁵ See *Homer: The Illiad With and English Translation*, A. T. Murray, Cambridge: Harvard University Press, 1985. XXIV: 477-676.

⁶ I'm grateful to David O'Connor for his help in seeing the importance of this universal lament in Achilles.

⁷ Marjolein Oele also argues that the scene does not show Priam and Achilles suffering "with" one another. She describes it as a matter of two men suffering in private their own individual pain, even as they do so together. She then argues that this occasions a move toward friendship between the two that moves beyond and transcends pity. In effect, she argues that they leave behind their sufferings and become friends. See

So the memory of his own suffering father mediates the act directed at Priam. It will be important to remember this mediated aspect of the scene when we consider Aristotle's reflections upon *ἔλεος* in the *Poetics*, the *Rhetoric*, and the *Nichomachean Ethics*.⁸

The Greek and Roman Background: Plato

To provide further context for Aristotle's reflection on *ἔλεος*, it is important to consider Plato's discussion of it briefly. By and large Plato uses the term in his dialogues as a descriptive term in reference to some character taking pity upon another, or the gods taking pity upon human beings.⁹ And he has Socrates say in *The Apology* that he will not beg for mercy as is expected in the law court of Athens when a negative judgment is made against the accused.¹⁰ But as a topic or theme for discussion, it is near the end

"Suffering, Pity, and Friendship: An Aristotelian Reading of Book 24 of Homer's *Iliad*, in *Electronic Antiquity*, Vol. 14(1), 2010, 51-65.

⁸ Martha Nussbaum has examined at great length and sympathy a number of other cases from Greek tragedy in addition to Priam and Achilles too numerous to examine here. She does so in order to argue for a "Pity Tradition" in Western thought, and the need for greater attention to literature in education. These include "Pity and Mercy: Nietzsche's Stoicism," in *Nietzsche, Genealogy, Morality: Essays on Nietzsche's Genealogy of Morals*, Ed. Richard Schacht, Berkeley: University of California Press, 1994. "Tragedy and Self-Sufficiency: Plato and Aristotle on Fear and Pity", *Oxford Studies in Ancient Philosophy*, Vol. 10, 1992, 107-159. "Compassion: The Basic Social Emotion", *Social Philosophy and Policy*, Vol. 13, 1996, 27-58. "Compassion: Human and Animal", *Ethics and Humanity: Themes from the Philosophy of Jonathan Glover*, Eds. N. Ann Davis, Richard Keshen, and Jeff McMahan, Oxford: OUP, 2010, 202-226.

⁹ See the Perseus online searchable catalogue at <http://www.perseus.tufts.edu/hopper/search> for contexts of such uses.

¹⁰ As noted by Kenneth J. Dover it was a regular feature of Greek trials for the accused to plead for compassion in various ways, in particular for him to parade his children before the court. Thus invoking it well or avoiding it becomes an important topic for forensics. See *Greek*

of the *Republic* that he considers the role of tragic poetry and its portrayal of suffering in relation to *ἔλεος*; this discussion is crucial for understanding Aristotle's own latter discussion. It takes up again the role of the poets in *The Republic* that Plato had discussed earlier in Books II and III. In the later discussion Plato has Socrates describe the "power to corrupt, with rare exceptions, even the better sort" of men as "surely the chief cause of alarm" arising out of the experience of tragic poetry. The tragic hero is portrayed in grief as engaged in a "long tirade in his lamentations or chanting and beating his breast," and we experience a pleasure at the sight of it, by which we "abandon ourselves and accompany the representation with sympathy...." But then Plato's Socrates points out that when the very same affliction as is portrayed in tragedy actually befalls us in our lives, "we plume ourselves upon the opposite, on our ability to remain calm and endure, in the belief that this is the conduct of a man, and what we were praising in the theatre that of a woman."

Plato's Socrates thinks there are two dangers to this phenomenon of the experience of tragic poetry for those who concern themselves with it. First it betrays a kind of inconsistency of judgment to praise in a dramatic character what we would "abominate" and be "ashamed of in ourselves." Second, it can give free reign to that part of the soul that is prone to tears and lamentations, the part of the soul that needs to be guarded against and "forcibly restrained" by the "best element in our nature," the reasoning part of the soul. Enjoying tragic poetry, we thus run the risk of weakening the role of reason when evils befall us in our own lives, and "after feeding fat the emotion of pity there [in tragic poetry], it is not easy to restrain it in our own sufferings."¹¹

Finally, because of the subsequent role that the feminine will play in characterizing *ἔλεος* in Aristotle and *Misericordia* in the Stoics, I want to mention the way in which he points to what appears to be a paradox in our appreciation of tragic poetry. Acts

Popular Morality in the Time of Plato and Aristotle, Oxford: Basil Blackwell, 1974, 195-201.

¹¹ See Plato, *The Republic*, Vols. 5&6, transl. by Paul Shorey, Cambridge: Harvard University Press, 1969, 605c-606e.

of pity expressed in lamentation will be described in the real lives of men as “abominable,” “shameful,” and to be avoided as womanly; and yet those same acts will be praised and enjoyed when portrayed in the lives of tragic heroes. This inconsistency weakens the strength of the soul appropriate to reasonable and good men. In effect, in the Republic it looks as though the danger of enjoying tragic poetry is that men will begin in their own lives to act shamefully like women.

The Greek and Roman Background: Aristotle.

In the *Nicomachean Ethics* *ἔλεος* is touched upon in only the most cursory way. It is mentioned three times. Two of those are in passing and incidental when Aristotle points out that those who suffer passions and act involuntarily are not to be praised or blamed but, rather, pardoned and “sometimes pitied.”¹² In the third instance it is mentioned substantively among the passions with which virtue concerns itself, passions like “appetite, anger, fear, confidence, envy, joy, love, hatred, longing, emulation, pity, and in general the feelings that are accompanied by pleasure or pain.”¹³ So we have in Aristotle the clear recognition of the fact of the passion in human life, and even implicitly in this passage that it should be the subject of some virtue.

However, when Aristotle gives his catalogue of the moral excellences in Bk. II.7, while he lists thirteen excellences, including Justice, Courage, Temperance, Friendliness, and so on, he makes no mention of a virtue appropriate to *ἔλεος*, a mean between extremes in rationally dealing with the passion. The closest he comes to mentioning suffering or pain in the entire chapter is when he raises Righteous Indignation or *Νέμεσις*; that virtue is “concerned with the pain and pleasure that are felt at the fortunes of our neighbors.” The generality of that description might suggest that it will concern itself with the suffering of our neighbors in bad fortune. But then Aristotle immediately adds that

¹² NE III.1 1109b32 and 1111a1.

¹³ NE II.5 1105b21-22.

he means to restrict *Nέμεσις* to the good fortune of our neighbors, not their bad fortune or a reversal of fortune from good to bad; “the man who is characterized by righteous indignation is pained at underserved good fortune.”¹⁴ In addition, the Greek word for pain there is not ‘*Έλεος*’ but ‘*λνπέω*’. As we will see in the discussion of *Έλεος* in the *Poetics* and *Rhetoric*, the passion of being pained at undeserved good fortune signified by ‘*λνπέω*’ would appear to be the exact opposite of *Έλεος*. So Aristotle’s ignoring of the latter in his catalogue of virtues concerning the passions is all the more striking. What is missing from the *Nichomachean Ethics* is any discussion of what virtue or moral excellence might be displayed in a well ordered and prudential response to *Έλεος*. We cannot conclude from that fact that Aristotle does not think there is a virtue associated with it, although his ignoring of it in a context in which he discusses the virtue associated with pain at undeserved good fortune is suggestive.

When we turn to the *Rhetoric* and the *Poetics* there is a more substantive discussion of *Έλεος*. It occurs in the *Rhetoric* in six passages and the *Poetics* in five. The most important substantive passage is in the *Rhetoric* when Aristotle defines the passion. “Pity may be defined as a feeling of pain at an apparent evil, destructive or painful, which befalls one who does not deserve it, and which we might expect to befall ourselves or some friend or ours, and moreover to befall us soon.”¹⁵ Notice the

¹⁴ NE II.7 1108b1-5.

¹⁵ Aristotle, *Rhetoric*, transl. W. Rhys Roberts, II.8 1385b13-16, *The Complete Works of Aristotle: Revised Oxford Translation*, Ed. Jonathan Barnes, Princeton: Princeton University Press, 1984. The translation here is a little awkward, since “apparent evil” is ambiguous as between “apparent but not real evil” and “evil that appears.” The setting of the *Rhetoric* doesn’t help to disambiguate, since the *Rhetoric* is about the principles of persuasion directed to an audience. Presumably in such contexts one will in words attempt to have an evil appear to the imagination of the audience; one will not place an actual occurrent evil in front of it. But presumably the imagination of evil in such a setting will be parasitical upon the speaker’s and audience’s knowledge of the

difference from *λυπέω*, which we saw in the *Ethics* is pain at undeserved good fortune in others. In both the *Rhetoric* and the *Poetics* *ἔλεος* is closely associated with the passion of fear or *φόβος*. So Aristotle will regularly refer to both in the two works as involving situations that arouse “pity and fear.” If we look at the definition of *ἔλεος*, the last half explains the association with fear, for it describes the situations in which *ἔλεος* is aroused as those situations that we might “expect to befall ourselves or some friend of ours.” The pain related thus to ourselves, it seems that *φόβος* will arise and not just *ἔλεος*. Aristotle is talking about situations in which we do not simply experience a physical or emotional pain at the sight of someone else’s pain, akin to the way we may have a shiver down the spine or our stomach may turn upon the vision of some gruesome bodily injury, or experience anguish at the sudden death of a friend’s child. The setting must be one in which we also fear that we will undergo the same actual pain as is being suffered by another. So to pity another is also to fear for ourselves.

Aristotle also explains that such pity and fear requires that the object of pity be significantly like us and that the situation involve an undeserved reversal of fortune.¹⁶ It is interesting to note that Pausanias’s description of the Altar of *ἔλεος* mentions the idea of a change of fortune, and seems to suggest that it is a change from good fortune to bad that is relevant when he says that it is only the prosperous who are unacquainted with the altar. On the other hand, Statius makes no mention of the reversal of fortune.¹⁷ Now, if the one suffering were not like us we would not fear the prospect of his suffering happening to us. If the loss has already taken place in us, then we will not fear it. Thus we see the importance of the idea of a reversal of fortune for the passion. This fear of a future loss on our part because of the similarity to us

manifestation or appearance of real evils in life as well as the conditions for the possibility of their manifestation.

¹⁶ Aristotle, *Poetics*, transl. I Bywater, *The Complete Works of Aristotle: Revised Oxford Translation*, Ed. Jonathan Barnes, Princeton: Princeton University Press, 1984, 13 1453a1-5.

¹⁷ See note 4 above.

appears to be a necessary condition for the occurrence of pity. Aristotle writes that pity is not felt “by those who imagine themselves immensely fortunate—their feeling is rather insolence, for when they think they possess all the good things of life, it is clear that the impossibility of evil befalling them will be included....”¹⁸ Presumably this feature of *ἔλεος* is not something that a god could undergo in relation to human beings, since gods are so far from being like us and so powerful that they cannot fear the reversals of fortune we suffer as vulnerable and subject to Fortune.¹⁹ And the suffering or pain we observe and fear must be undeserved, for if it is a loss that is deserved presumably we should rejoice in justice having been done to the one who suffers, and not fear for ourselves except insofar as we too deserve such suffering. Indeed Aristotle is clear that there is no pity for the wicked who suffer a reversal of fortune.²⁰

We do not, however, have an actual account in the two works of a moral virtue that pertains to the passion, however much one might surmise what such an account might look like. The object of the *Rhetoric* is to analyze the skill of persuasion; it is not to give a further catalogue or analysis of virtues in addition to the *Ethics*. A good rhetorician will arouse passions of pity and fear in his audience, whether the audience is a judge or a group of citizens. The object of his skill is not an action or a practical judgment, but a favorable judgment. So the object is not an analysis of the moral development of virtue. The object of the *Poetics* is to analyze the structure of good tragedies and discuss the “pleasure” of tragedy. Primarily, a good tragedy elicits within its plot the passions of pity and fear resulting in a catharsis for the characters within the plot. In that respect, Aristotle is considering

¹⁸ *Rhetoric* II.8 1386b21-24.

¹⁹ For a discussion of divinity in respect to Pity, see Nussbaum, “Tragedy and Self Sufficiency,” 120, and “Pity and Mercy,” 142-143. David Konstan agrees with this implication of Aristotle’s account, but also argues that it is not generally the case in other Greek sources that the gods do not pity human beings. See *Pity Transformed*, London: Gerald Duckworth and Co., Ltd., 2001.

²⁰ *Poetics* 13 1453a1-5.

tragic drama on its own terms, rather than moralizing its effect upon the audience that Plato had criticized in the *Republic*. But drama may also produce such passions and catharsis within the audience. In that respect, Aristotle's account is secondarily open to being an argument on behalf of the good of tragic drama for the audience, precisely upon the moralizing point Plato's Socrates had criticized. But in neither case, whether in the *Rhetoric* or the *Poetics*, is the object of persuasion or tragedy to produce moral virtue as we see it discussed in the *Ethics*. So again Aristotle remains silent as to what virtue might be associated with *Ἔλεος*.²¹

²¹ However, if one moralizes both works, that is, makes them serve the purpose of moral formation in the audience, on Aristotelian grounds the virtue that ought to be associated with Pity is Courage, since as described within the two works Pity appears to have as its point the eliciting of Fear within the one who experiences it; but we know that Aristotle does give us an account in the *Nicomachean Ethics* of the virtue that pertains to Fear—Courage. Nussbaum briefly notes this relation to Courage in “Tragedy and Self-Sufficiency,” 136. However, her overall project of providing a modified Rawlsian theory of Justice employing Aristotle's reflections on Pity, make that reference look incidental to the analysis. I am not suggesting such a moralizing reading of the two works. I consider it simply because of those readings that do moralize them, particularly the *Poetics*. Nor do I use ‘moralizing’ in any pejorative sense here. Nussbaum is aware of the moralizing reading she is giving. See “Tragedy and Self-Sufficiency,” 114. For a similar though less direct moralizing reading of Pity portrayed in Greek tragic drama in relation to Plato and Aristotle, see Stephen Halliwell, “Tragedy, Reason and Pity: A Reply to Jonathan Lear”, *Aristotle and Moral Realism*, London: University College London Press, 1995. And “Plato and Aristotle on the Denial of Tragedy”, *Proceedings of the Cambridge Philosophical Society*, Vol. 30. 1984. Also Halliwell, *Aristotle's Poetics*, Chapel Hill: The University of North Carolina Press, 1986. Esp. chpt. VI, “Tragedy and the Emotions,” and VII, “Fallibility & Misfortune: The Secularisation of the Tragic.” For anti-moralizing readings of Aristotle's *Poetics*, see Alexander Nehamas, “Pity and Fear in the *Rhetoric* and *Poetics*,” in *Essays on Aristotle's Poetics*, Ed. Amelie Rorty, Princeton: Princeton University Press, 1994. See also David K. O'Connor, “Aristotle's Aesthetics”, *The Routledge Companion to Ancient Philosophy*, ed. James Warren and Frisbee Sheffield, New York, 2014.

Before leaving Aristotle, it is important to look at what he says about friendship and grieving with a friend in book IX.4 of the *Nichomachean Ethics*, because Aquinas will combine this passage in the *Ethics* with what is said about *ἔλεος* in the *Rhetoric* and *Poetics* to develop his account of *Misericordia* in the *Summa*. We saw that in the experience of *ἔλεος* that it has a very limited context, namely, among those whom we can imaginatively see as sufficiently like ourselves in being well off. As Aristotle sees it, it is not a passion that is particularly general in its occurrence among fellow human beings, as it is confined to well off people like oneself. On the other hand, in speaking of the phenomenon of grieving or suffering with another, he does think there may be a kind of generality to this suffering. He writes that “some” hold that it is a characteristic of friends that they will grieve with one another, while others hold that it involves wishing and doing what is good for another for the sake of the other, and still others hold that a friend is one among whom one lives with the same tastes, and so on. Aristotle concludes the passage by saying that it is by “some one of these characteristics that friendship...is defined.”²² So friendship may perhaps be defined as involving suffering with one who is counted as a friend; but it may be defined in some other way.

What is interesting about this text is that when speaking of grieving with a friend, Aristotle does not use the passion term *ἔλεος* that we have seen in the *Ethics*, *Rhetoric*, and *Poetics*. On the contrary, he uses the noun *συναλγοῦντα* for those who suffer with others; the noun however is related to the verb *συναλγεῖν* which signifies the act of suffering with another. Virtues bear upon both passions and actions. *ἔλεος* is the passion of feeling a pain upon the apprehension of the pain of another. *συναλγεῖν* on the other hand is the act of suffering with someone, namely, a friend. And while *ἔλεος* occurs substantively in only one passage in the *Nichomachean Ethics* and never in the *Eudemian Ethics*, *συναλγεῖν* appears in four passages concerning friendship in the *Nichomachean Ethics*, and three passages in the *Eudemian*

²² BK IX.4 1166a1-9.

Ethics.²³ It also appears once in the *Rhetoric* when Aristotle writes, “those who love us share in all our distresses...”²⁴ as well as “it follows that your friend is the sort of man who shares your pleasure in what is good and your pain in what is unpleasant, for your sake and for no other reason.”²⁵ In these contexts in which *Συναλγεῖν* is mentioned, there is no mention of fear for oneself, nor of reversals of fortune. So it is open to question whether *ἔλεος* plays any part in such suffering or grieving with.

There is a distinction to be observed here. It doesn't seem that *ἔλεος* is particularly related to *Συναλγεῖν*. *ἔλεος* is prompted in one when one observes pain in someone sufficiently like one, but it need not be in a friend. And we've seen that it requires fear that one may undergo a similar loss in oneself that prompts the pain. Consider again the *Rhetoric* and the *Poetics*. It is not necessary for the purposes of persuasion or tragedy that the one in whom I imaginatively perceive some pain or suffering be a friend. Indeed, the figures presented to me in tragedy certainly won't likely be friends or even possible friends. What's necessary for the experience of *ἔλεος* is a sufficient likeness, not a friendship. *ἔλεος* appears to be mostly unrelated to the discussions of friendship in Aristotle, except that Aristotle says the fear of a reversal of fortune that we experience may be a fear on behalf of our friends. In that respect it seems that the scope of *ἔλεος* is broader than *Συναλγεῖν*. And *Συναλγεῖν* is not associated with *Φόβος* as *ἔλεος* is.

The case of Achilles complicates this point even further. Recall that Achilles does end up granting Priam's request. He grants Priam's request, but only after he “had had his fill of lamenting” for Peleus and Patroclus. But does he engage in an act of *Συναλγεῖν* directed at Priam, an act of suffering or grieving with Priam over the loss of Hector when he grants Priam's request? No. What moves Achilles to act is not Priam's suffering, but the memory of his father and Patroclus. Achilles acts in virtue of that

²³ Hermannus Bonitz, *Index Aristotelicus*, Berlin: Akademie-Verlag, 1955.

²⁴ BK II.2 1379b22.

²⁵ BK II.4 1381a37.

memory, not because he is *suffering with* Priam as a friend; he can't suffer with him as a friend, since Achilles is an enemy who has slaughtered and desecrated the body of Priam's son. Thus there is no place here for *Συναλγεῖν*.²⁶

What this distinction between *ἔλεος* and *Συναλγεῖν* allows us to recognize is that one can suffer pain in the presence of another's pain, real or imagined, and yet not *suffer with* that other—not act according to *Συναλγεῖν*. The pain of another may simply be the occasion for my suffering a pain, without it at the same time uniting me with the suffering of the other by *Συναλγεῖν*. In addition, one can grieve with another (*Συναλγεῖν*) without it being the occasion of a fear (*Φόβος*) for oneself. To use the standard English translation of *ἔλεος*, pity is not enough for an act of compassion.

And yet Aristotle gives us no more account of a virtue that would pertain to the act of *Συναλγεῖν* than he does of the passion of *ἔλεος*. *Συναλγεῖν* is even more restrictive in scope than *ἔλεος* which could at least extend to those imagined to be like one even if they were not friends. In fact his comments about the act are somewhat ambiguous and even troubling given the Athenian context in which they were written. While he mentions that some have said that *Συναλγεῖν* characterizes friendship, he then says this characteristic is found in mothers most of all in the way they suffer with their children.²⁷ And the difficulty of grieving with lots of

²⁶ Indeed, Marjolein Oele argues that from an Aristotelian perspective the point is for Priam and Achilles to move beyond their individually realized lamentations and pity toward a friendship that transcends suffering. In that reading the order begins with pity for oneself, but leaves that self-regarding pity behind as common friendship is established. See Oele, "Suffering, Pity, and Friendship: An Aristotelian Reading of Book 24 of Homer's *Iliad*."

²⁷ Aristotle, *Eudemian Ethics*, transl. J. Solomon, *The Complete Works of Aristotle: Revised Oxford Translation*, Ed. Jonathan Barnes, Princeton: Princeton University Press, 1984, VII 1240a33-38. Here again in the *Eudemian Ethics* Aristotle associates *Συναλγεῖν* with mothers in their relation to their children, but then adds it is also characteristic of birds. "To sorrow with the sorrowing, for no other reason than their

people is one of the reasons he gives for avoiding having too many friends.²⁸ So even if *Συναλγεῖν* characterizes friendship, it poses a distinct problem for friendship. So it doesn't look like it would be related to or proceed from a virtue if it poses such a problem for friends.

On the other hand, Aristotle writes that our "grief is lightened when friends sorrow with us."²⁹ But almost immediately he adds that it is "people of a manly nature [who] guard against making their friends grieve with them, and unless he be exceptionally insensible to pain, such a man cannot stand the pain that ensues for his friends, and in general does not admit fellow-mourners because he is not himself given to mourning." Here he is not speaking of the one who *suffers with*, but those who are the occasion for a friend to suffer with. A manly man will avoid being the occasion of others suffering with him. It is difficult not to think again of Plato's Socrates making the point in the Republic that in our own lives we will "plume" ourselves on our ability to avoid the sort of womanly lamentations that we enjoy in the characters of a tragic drama. In order to avoid being an occasion of grief for his friends, a friend will not himself be particularly given to mourning.³⁰ But that raises the paradoxical problem that if the manly man is not particularly given to mourning and avoids it, how will he be prepared to mourn with his friends, however manly they are, when they do mourn? Aristotle goes on immediately to write that it is "women and womanly men [who]

sorrow, we shall regard as love...as mothers feel towards their children, and birds that share one another's pain."

²⁸ Bk IX.10 1171a6-10. Nussbaum is silent on this discussion in Aristotle when considering *Ἐλεος* and the Pity Tradition she identifies. Perhaps she is silent because *Συναλγεῖν* is for Aristotle inherently limited by the scope of one's friendships and is a motive for restricting that scope. It would not thus provide the universalizing motives of *Ἐλεος* and *Φόβος*, as she understands them.

²⁹ BK IX.11 1171a29-33.

³⁰ Recall the character that Plato's Socrates displays in the face of his impending death, and the way he chastises his friends for weeping like women, weeping like Xanthippe his wife whom he had sent away early in the dialogue.

enjoy sympathizers in their grief, and love them as friends and companions in sorrow. But in all things one obviously ought to imitate the better type of person.”³¹ So it seems that grieving or suffering with, *Συναλγεῖν*, however much it is a characteristic of friendship, is associated with women and being womanly; given the ancient Athenian context of women and mothers in view, it is associated with weakness. Virtue being a kind of strength, it is at least plausible to suggest that Aristotle gives us no virtue of suffering with, despite acknowledging *Συναλγεῖν* as a characteristic of friendship, because of this association with weakness.

To conclude the discussion of Aristotle, we have seen that *Ἐλεος* is mentioned in the *Ethics* but not discussed. Instead it is discussed in the *Poetics* and the *Rhetoric*. Insofar as we can conclude anything from those works, it has a number of features. First, it is a pain felt upon the apprehension of the pain of another. Second, it involves a significant reversal of good fortune. Third, it prompts fear in the one apprehending the pain that a similar reversal of fortune may befall one. So the sufferer must have recently been fairly well off, but also the one who pities him and fears for himself must be fairly well off with regard to good fortune. Fourth, it requires that there be a sufficient likeness between the one who suffers the reversal of fortune and the one who apprehends it—there is no fear and thus no pity, when the one suffering is sufficiently unlike the one who apprehends the suffering. Fifth, it appears foreign to divinity in relation to humanity because the gods cannot fear the reversal of fortune characteristic of serious human suffering. Sixth, as a passion it is to be distinguished from the act of suffering or grieving with someone. The latter act pertains to one’s friends, and is a reason for restricting the scope of one’s friendship to a small group. And finally, the act of *Συναλγεῖν* appears to be troublesome for virtue, insofar as it seems to be associated in Aristotle’s mind with a certain amount of womanly weakness.

³¹ BK IX.11.

The Romans: Cicero and Seneca

It is important to consider the importance of the Roman Stoics Cicero and Seneca to Aquinas's discussion of *Misericordia* in order to clearly distinguish *Misericordia* from another virtue Aquinas recognizes and discusses, namely, *Clementia*, as well as to amplify the ancient attitude toward *Misericordia*. According to Aquinas, *Clementia* is the virtue of a judge or ruler forgiving or mitigating a just punishment that has been imposed upon a wrongdoer.³² It is particularly important to distinguish the two virtues in Aquinas, because the terms '*Misericordia*' and '*clementia*' are often translated into English by the same term, namely, 'mercy'.³³ The common translation risks confusion and equivocation in the discussion of *Misericordia*—*Misericordia* isn't Clemency or Forgiveness.

When Aquinas raises the question whether *Misericordia* is a virtue, in the *sed contra* he cites a passage from Augustine's *City of God*, book IX.5. That passage in Augustine is itself a quotation from Cicero praising Julius Caesar. Cicero said of Caesar, "none of your virtues are more admirable or gracious than your *Misericordia*."³⁴ The passage in Augustine comes from Cicero's oration "Plea for Ligarius." There Cicero pleads before the Roman Senate and Caesar who is sitting in judgment as dictator that Caesar allow Quintus Ligarius to return from exile. Ligarius was a rebel officer in the recent civil war in Africa.³⁵ Given Cicero's use of '*Misericordia*' we might think that he is praising Caesar for the virtue that Aquinas will analyze in his own

³² See *STh* II-II, q. 157.

³³ See endnote * below.

³⁴ "...nulla de virtutibus tuis nec admirabilior nec gravior Misericordia est." *STh* II-II, q. 30, a. 3 *sed contra*. The passage as it appears in Aquinas' citation of Augustine is slightly different from its appearance in Cicero's oration "On Behalf of Ligarius," before Caesar and the Roman Senate. "Nihil est tam populare quam bonitas, nulla de virtutibus tuis plurimis nec admirabilior nec gravior Misericordia est." Cicero, *The Speeches with an English Translation*, transl. N. H. Watts, London: William Henemann LTD, 1931, "On Behalf of Ligarius," 35-37.

³⁵ See translator's introduction to "On Behalf of Ligarius," 454-457.

response, and certainly Aquinas is taking him that way through Augustine. However, it is clear from the context in Cicero that his use of ‘*Misericordia*’ is not understood in reference to the passion of *ἔλεος* we have seen among the Greeks. Caesar is not suffering pain upon the apprehension of Ligarius’ exile; it was Caesar who exiled him, and is now being asked to pardon or forgive the exile; he certainly is not considering it because of a fear that he too may one day be exiled. On the contrary, it is Ligarius’ brother Titus who has asked Caesar as judge to pardon the exile. Neither is Caesar engaged in an act of *Συναλγεῖν*—an act of grieving with either Quintus or Titus as friends. On the contrary, as judge he is sitting in judgment on a case as to whether a presumably just punishment he has imposed ought to be mitigated. Recall that *ἔλεος* excludes contexts in which someone is suffering justly. The sort of judgment concerning Justice and the virtue that may mitigate just punishment is what later comes to be clearly distinguished as involving *Clementia*.³⁶

In order to understand what Cicero actually thought of the *passion* of *Misericordia* associated with the Greek *ἔλεος*, as opposed to the action and virtue he here praises in Caesar, we have to turn to his defense of Stoicism in the *Tusculan Disputations*. There his criticism of the passion the Greeks called *ἔλεος* is unsparing. First he tells us that the *passion* of *Misericordia* is a perturbation of the mind falling under the general heading of grief, along with such other perturbations as jealousy, distress, mourning, sorrow, and so on. It is defined as grief for another who is laboring under an undeserved suffering. Recall that the apprehension of “undeserved suffering” was one of the defining marks of *ἔλεος* in Aristotle. To suffer from this passion along with the others either occasionally or habitually involves a kind of mental illness. Cicero will later describe these and other passions as involved in evil, and full of error. To the

³⁶ David Konstan provides a useful summary of the scholarship on the confusion of Latin terminology involving ‘*Misericordia*’ and ‘*Clementia*’ at this time in Roman history, as well as the later separation of the terms. See “Clemency as a Virtue,” *Classical Philology*, Vol.100, No. 4 (October 2005), 337-346.

objection that some of these mental illnesses may be useful in bringing about good actions like helping others, Cicero argues that they are never necessary for such aid.

With regard to the passion of *Misericordia* specifically, he writes two things of interest to us. First, “why feel *Misericordia* [*miserere*], if you are able to produce some help instead? For aren't we able to be liberal without *Misericordia*? For we ourselves ought not to suffer grief for others, but we ought, if we are able, instead lift the grief of others.”³⁷ Here Cicero is suggesting that a “wise man” will express a liberal spirit and virtue in assisting others without having to suffer the mental disease of being pained at the sight of others' pain. While we “ought” to relieve suffering, we “ought not” to suffer with those who suffer. The virtue of assisting others in their distress is to be praised insofar as it does not involve the passion of suffering pain at their pain.

Speaking broadly again of the mental perturbations that include *Misericordia*, Cicero goes on to add that the cure for these mental perturbations is to teach that they are *per se* vicious (*per se esse vitiosas*) and “we see that grief itself is lightened, when we upbraid those who grieve with the imbecility of a feminine soul, and when we praise the gravity and constancy of those who endure without turbulence human events.”³⁸ Here what was simply a suggestion of womanliness and weakness in Aristotle discussing *Συναλγεῖν* comes out into the open as a Stoic charge of stupidity and effeminacy directed against the passion of *Misericordia*, regardless of whatever Cicero had to say about Caesar's clemency as a judge. In that respect, if Aquinas's defense

³⁷ “Cur miserere potius quam feras opem, si id facere possis? An sine Misericordia liberales esse non possumus? Non enim suscipere ipsi aegritudines propter alios debemus, sed alios, si possumus, levare aegritudine,” Cicero, *Tusculan Disputations with an English Translation* by J. E. King, London: William Henemann, 1927, IV.26 57-61.

³⁸ “...ut ipsam aegritudinem leniri videmus, cum obicimus maerentibus imbecillitatem animi effeminati, cumque eorum gravitatem constantiamque laudamus, qui non turbulente humana patiantur,” *Tusculan Disputations*, BK IV.28.

of the thesis that *Misericordia* is a virtue presupposes the passion of *ἔλεος*, then it turns out his use in the *sed contra* of the authority of Cicero mediated by Augustine is badly off target.

This distinction between *Clementia* and *Misericordia* brings us to the later Stoic Seneca. Seneca had written a letter to Nero, *De Clementia*,³⁹ praising the *Clementia* of a ruler. *Clementia* is a Stoic virtue that perfects the ruler as such, and shows the greatness of his soul insofar as he stands in judgment of those below him. It regulates his desire to punish, and in that respect is not like Justice directed at a good other than himself. This is the Clemency that Cicero had earlier praised in Julius Caesar under the name '*Misericordia*'. But now, a hundred years later Seneca wants to clearly distinguish this virtue of *Clementia* from any association at all with *Misericordia*. *Clementia* is a virtue that pertains to the greatness of soul of a judge. It is not concerned with the suffering of those who are being punished. To be concerned with that suffering, to acknowledge it, and to be pained by it is on the part of a judge a vice.

In order to praise *Clementia* all the more, Seneca is even more abusive of *Misericordia* than Cicero had been. He writes, "At this point it is pertinent to ask what *Misericordia* is; for many people praise it as a virtue and call a man good who has *Misericordia*. But this is a vice of the soul." In calling it a "vice" he uses the same Latin word that Cicero had earlier used—'*vitium*'. It is "[m]ost familiarly found in the poorest of persons; there are old and wretched women who are moved by the tears of the most wretched criminals." "For it is a vice of a tiny soul that succumbs to the sufferings of others."⁴⁰ The key for Seneca is that the virtue

³⁹ *De Clementia* in Seneca, *Moral Essays with an English Translation* by John W. Basore, London: William Henemann LTD, 1985.

⁴⁰ "Ad rem pertinet quaerere hoc loco, quid sit Misericordia; plerique enim ut virtutem eam laudant et bonum hominem vocant misericordem. Et haec vitium animi est." "Itaque pessimo cuique familiarissima est; anus et mulierculae sunt, quae lacrimis nocentissimorum moventur..." and "Est enim vitium pusilli animi, ad speciem alienorum malorum succidentis," *De Clementia*, II.iv.4-v.1 Consider also what Seneca wrote to his friend Marrulus, when his friends little boy had died. "You expect solace? Receive abuse. You bear the

of *Clementia* not be confused with the vice of *Misericordia*. *Clementia* pertains to the activity of a judge and does not concern itself as such with the suffering of prisoners. It shows a concern for the greatness of the judge's soul, not the suffering of those who fall under his judgment. To be pained at their suffering, and act to mitigate it introduces vice into the life of a judge. *Misericordia* is a vice opposed to *Clementia*. So Seneca is even more unsparing in his identification of *Misericordia* with womanly weakness and corruption than even Cicero had been in his *Tusculan Disputations*.

Aquinas treats of *Clementia* in IIaIIae.157, 127 questions after his treatment of *Misericordia* in IIaIIae.30. His primary classical source is Seneca's *De Clementia*, although he also mentions Cicero and Aristotle. However, *Clementia* is not treated under the theological virtue of *Caritas* or even under the cardinal natural virtue of Justice. Instead, it is treated along with Meakness under the cardinal natural virtue of Fortitude. Virtues bear upon "passions and actions." Meakness and Clemency bear upon the passion of anger and the actions that proceed from it. But Meakness mitigates the passion of anger itself, restraining it from being immoderate, while Clemency mitigates the act of external punishment that proceeds from anger, restraining the act from being immoderate. However, *Clementia* can only be exercised in the context of a just punishment that has been imposed. It is not an expression of virtue to stop unjustly punishing; at best it is a move back toward Justice. In that respect, *Clementia* is bound to and concerns questions of Justice, while at the same time it is not addressed to questions of Justice as its object.

It is very important that Aquinas places *Clementia* under the heading of Temperance rather than Justice. Justice does not bear

death of your son effeminately..." ("Solacia expectas? Convicia accipe. Molliter tu fers mortem filii..."), *Seneca Ad Lucilium Epistulae Morales*, with and English Translation by Richard M. Gummere, London: William Heinemann, 1925, Epistle XCIX 2. *Molliter* could be translated as 'softly' or 'meakly', a point made to me by Alasdair MacIntyre. However because of Seneca's own remarks as well as Cicero's parallel comment, I think 'effeminately' is justified here.

upon an internal passion of the individual as such. It bears upon the good of others and the common good. Now for Aquinas, even though the exercise of *Clementia* has as an effect the lessening of the just punishment of a wrongdoer, in that sense bearing upon him, may even be motivated by love of the wrongdoer, and, as we've seen, is bound to questions of Justice, its object is not the good of the wrongdoer and Justice. On the contrary, its object is the individual good of the one who punishes, for it mitigates concupiscence in inflicting just punishment proceeding from anger. *Clementia* looks to and perfects the good of the individual with respect to a form of concupiscence, which is why it is placed under Temperance. And in that respect Aquinas agrees with Seneca for whom *Clementia* is concerned with the individual good of the judge and the greatness of the soul of the judge, not the good of the punished, and is only indirectly concerned with Justice insofar as it is bound to or circumscribed by it.

Aquinas and *Misericordia*

Turning now to *Misericordia* proper, Aquinas treats of it in question 30 of the second part of the second part of the *Summa* as one of the three interior effects of *Caritas*. The other two effects are Joy and Peace. He argues that neither Joy nor Peace is a virtue but, rather, effects of *Caritas* as acts that proceed directly from that theological virtue. So in question 30, article 3 he considers the objection that because Joy and Peace are effects of *Caritas* without being virtues, so also *Misericordia* must be an effect without being a virtue. On the contrary, he argues in the body of the response that *Misericordia* is an effect of *Caritas* that is different from Joy and Peace because it is a virtue in its own right. It is important to consider that argument.

“*Misericordia* involves sadness at another’s misery.”⁴¹

This is an abbreviated expression of what Aquinas had written in article 1 of question 30 paraphrasing Augustine’s *City of God*, Bk.

⁴¹ “...*Misericordia* importat dolorem de miseria aliena,” *STh* II-II, q. 30 a. 2 c.

IX.5, an abbreviated expression that emphasizes the passion of sadness. The earlier definition in article 1 is “*Misericordia* is compassion in our heart at another’s misery, whereby we are compelled to aid him if we can.”⁴² Both the abbreviated description and the more expansive definition relate *Misericordia* to *ἔλεος*. But the earlier definition makes it clear that it does not simply bear upon the passion of sadness, but extends to an action directed at relieving suffering. Aquinas argues that this sadness is twofold. In the first place it may denote a movement of the sensitive appetite, in which case it is a passion and not a virtue. Here we might think of the way we experience a pain or physical reaction of revulsion at the sight of someone breaking his leg in an excruciating fashion or any other such injury. In the second place it may denote a movement of the rational appetite or will, “insofar as the evil suffered by another is displeasing to one.”⁴³ Here we might think of the way the death of the son of our beloved friend displeases us and causes us great anguish, or other such complex sufferings, anguish that will likely include a physiological response of some sort as well. But it may also involve a much more complicated response of the will to the broken leg that may otherwise merely cause a reaction of physical revulsion.

Aquinas argued much earlier in the *Summa* that the intellect provides the intelligible form of the movements of the will.⁴⁴ So his claim that *Misericordia* can be a movement of the will in addition to the sensitive appetite implies that *Misericordia* can be cognitively structured, though it need not be if it remains a mere passion of the sensitive appetite. So, insofar as Aquinas argues that *Misericordia* has this twofold aspect, it is not a simple

⁴² “*Misericordia est alienae miseriae in nostro corde compassio, qua utique, si possumus, subvenire compellimur, dicitur enim Misericordia ex eo quod aliquis habet miserum cor super miseria alterius.*”

⁴³ “...secundum quod alicui displicet malum alterius,” *STh* II-II, q. 30, a.3 co.

⁴⁴ See *STh* I-II, q. 82 a 4 and I-II, q. 9 a 1. 82.4 argues that the intellect moves the will as an end because the intellect apprehends the object of the will. 9.1 adds that this apprehension of the object of the will provides the formal specification of the will’s act.

passion, but a cognitively rich structure of passion in relation to beliefs about evil and suffering that inform and lead to action.⁴⁵ It is because of this cognitively rich character of the movement of the will that it is subject to the ordering of reason, and through the movement of the will so ordered the movement or passion of the sensitive appetite is also ruled. So *Misericordia* does not bear simply upon passions or simply upon actions, but upon both. Now, “since the *ratio* of a human virtue consists in this that a motion of the soul may be regulated by reason,...,” it follows that *Misericordia* is a virtue.⁴⁶

To the specific objection that Joy and Peace are not virtues and so by a parity of reasoning neither should *Misericordia* be, Aquinas responds that neither of the former add anything to the *ratio* of the good which is the object of *Caritas*, which he had earlier argued in *STh* II-II, q. 25, a. 1 is the love of God and the love of neighbor in God. Joy is the act of *Caritas* in the presence of God and neighbor in God, while Peace is the act of *Caritas* that consists in the concord of appetites among human beings and within a human being himself in God. But, by contrast, “*Misericordia* concerns a particular *ratio*, namely, the misery of one who is suffering.”⁴⁷ It has a different object than *Caritas*, and so cannot be an act of *Caritas*. Thus, even though it is an effect of *Caritas*, it is not an act of *Caritas*; it is rather a virtue distinct from but caused by *Caritas*.

⁴⁵ Notice this meets Nussbaum’s emphasis upon Pity being a cognitively rich response to suffering. See “Tragedy and Self-Sufficiency: Plato and Aristotle on Fear and Pity,” 133. See also “Compassion: The Basic Social Emotion,” 32-33. See also Halliwell, *Aristotle’s Poetics*, 173-174. Again, for a discussion somewhat different from Nussbaum’s, see Alexander Nehamas “Pity and Fear in the *Rhetoric* and *Poetics*,” in *Essays on Aristotle’s Poetics*, Ed. Amelie Rorty, Princeton: Princeton University Press, 1994.

⁴⁶ “Et quia ratio virtutis humanae consistit in hoc quod motus animi ratione reguletur, ut ex superioribus patet, consequens est Misericordiam esse virtutem,” *STh* II-II, q. 30, a. 3 co.

⁴⁷ “Sed Misericordia respicit quandam specialem rationem, scilicet miseriam eius cuius miseretur,” *STh* II-II, q. 30, a.3 ad 3.

In particular, Aquinas responds to the fourth objection of article 3 that it is a “moral virtue existing in relation to the passions....”⁴⁸ And here is where our examination of Aristotle on *ἔλεος* comes to a head. The objection was that it is not an intellectual virtue because it belongs to the appetitive power and it is not a theological virtue because it does not have God for its object. Aquinas does not contest these two points, in particular that it is not a theological virtue. But the objection had further claimed that it is not a moral virtue because first it is not Justice, which is concerned with operations. Again, Aquinas does not contest this point, although we will see that the relationship to Justice is more complicated than a failure to contest. Finally the objection continues that it is not a moral virtue because it is not concerned with the twelve means or virtues that Aristotle had posited in II.7 of the *Nicomachean Ethics* in addition to Justice.⁴⁹

In response Aquinas first relies upon his response to the second objection, which objection had claimed that *Misericordia* can't be a virtue because according to Aristotle in *Rhetoric* II.9 it is opposed to *Nemesis* which latter passion Aristotle praises. But a virtue cannot be opposed to that which is praiseworthy. There Aquinas had responded that Aristotle considers them in *Rhetoric* II.9 as passions simply and that as passions they are not opposed in themselves, but because of what they bear upon, distress at undeserved suffering (*Misericordia*) versus distress at undeserved good fortune (*Nemesis*). The extreme opposed in itself to *Misericordia* is Envy. Still, Aquinas points out that in *Rhetoric* II.9 Aristotle actually praises both passions as coming “from the same character.” However, we have seen that Aristotle's attitude toward *ἔλεος* is much more ambiguous than Aquinas's response to the second objection would suggest.

⁴⁸ “...*Misericordia*, secundum quod est virtus, est moralis virtus circa passiones existens, et reducitur ad illam medietatem quae dicitur *Nemesis*, quia ab eodem more procedunt, ut in II Rhet. dicitur,” *STh* II-II, q. 30, a. 3 ad 4.

⁴⁹ “...nec est circa passiones, non enim reducitur ad aliquam duodecim medietatum quas philosophus ponit, in II Ethic,” *STh* II-II, q. 30, a. 3 obj. 4.

Aquinas uses the response to the second objection to respond to the fourth. It provides him with an interpretive tool to claim that in fact Aristotle treats *Misericordia* in *Ethics* II.7 under the heading of *Nemesis*. Because Aristotle had written in *Rhetoric* II.9 that *Misericordia* and *Nemesis* come from the same character, Aquinas writes “*Misericordia*, insofar as it is a virtue,..., is reduced [in *Ethics* II.7] to the mean that is called *Nemesis*.” He concludes that even as they are praised in *Rhetoric* II.9 as passions “nothing...prohibits them from resulting from an elective habit. And according to this they assume the *ratio* of a virtue.”

This interpretation of *Ethics* II.7 is certainly a stretch and a very charitable reading of Aristotle. It is only justified by the passage in *Rhetoric* II.9 that is clearly speaking of *Misericordia* and *Nemesis* as passions, and the praise they receive. But nothing in the text of *Ethics* II.7 itself suggests that Aristotle intends to include *Misericordia* as a virtue reducible to *Nemesis*. Aquinas’s thought seems to be that *Nemesis* generically involves suffering at the apprehension of what is undeserved. Then the virtue would be directed at two different forms of what is undeserved—suffering when others suffer undeservedly and suffering when others prosper undeservedly. But then it looks like an equivocation on *Nemesis* for it to name both the genus under which *Misericordia* falls as well as the species of “being pained” that is concerned with undeserved good fortune.

On the contrary, all Aristotle says in *Ethics* II.7 is that *Nέμεσις* bears upon undeserved good fortune—being pained at the undeserved good fortune of a neighbor. The extremes it stands between are envy that is pained at any good fortune of another and spite that feels no pain at all at undeserved good fortune, but rather rejoices in it. *Ἐλεος* does not show up in the text of *Ethics* II.7 as it does in *Rhetoric* II.9, and no mention at all is made of feeling pain at the undeserved bad fortune of a neighbor in *Ethics* II.7. In using *Rhetoric* II.9 to interpret *Ethics* II.7, Aquinas is ignoring the context of the *Rhetoric*. The point in the *Rhetoric* of praising the passions *Nέμεσις* and *Ἐλεος* is to achieve the end of persuasion, a favorable judgment by the judge or audience. Praising them in a rhetorical context does not inform us about their ethical weight. This forensic purpose is clear at the end of the

paragraph in *Rhetoric* II.9 when, having rehearsed the way various passions may be opposed to *ἔλεος*, Aristotle writes “we can now see that all these feelings tend to prevent pity...so that all are equally useful for neutralizing an appeal to pity.”⁵⁰ Despite Aquinas’s reading of him, Aristotle is suggesting that *Νέμεσις* is useful to oppose *ἔλεος* in debate, not that they are, as it were, two specific sides of the same generic virtue coin. Furthermore, Aquinas’s own account of *Misericordia* is inconsistent with that reduction, since in reply to the first objection of article 1, he makes it clear that *Misericordia* extends even to suffering that is deserved as punishment. *Misericordia* is not restricted to what is undeserved as *Nemesis* is. So it is ironic to say the least that while Aquinas claims that *Misericordia* as a virtue is reduced to a species of *Nemesis* in order to claim that Aristotle discusses it, Aquinas, in a kind of mirror image of Aristotle’s treatment of *ἔλεος*, nowhere gives an account of the virtue of *Nemesis* despite giving an account of *Misericordia* as a gift of *Caritas*.

However, even if Aquinas’s attempt to find a discussion of *Misericordia* in the *Nicomachean Ethics* is unconvincing there are at least two points to make about it. His argument that it is a virtue doesn’t actually depend upon the authority of Aristotle. It depends upon the claim that the passion is a passion of both the sensitive appetite and the rational appetite or will, and subject to reason in virtue of the latter. Second, Aquinas clearly wants to attribute it to Aristotle in the *Ethics*, even if he has to stretch to “reduce” it to *Nemesis* to do so. But that simply confirms the judgment that he thinks it is a natural moral virtue pertaining to the happiness proportionate to human nature, and in principle achievable by human beings in pursuit of that happiness.

Aquinas’s Departure from Aristotle

Now, if we look more closely at Aquinas’s account of *Misericordia* we can see how far it departs from Aristotle’s account of *ἔλεος*, even as he seeks to relate it to Aristotle.

⁵⁰ *Rhetoric* II.9 1387a3-5.

Consider the features of *ἔλεος* I summarized at the end of the discussion of Aristotle. 1) *ἔλεος* is a pain or suffering felt at the apprehension of a pain suffered by another. 2) *ἔλεος* involves a serious reversal of the good fortune of another. 3) *ἔλεος* is prompted when the suffering of another is apprehended as “undeserved.” 4) *ἔλεος* prompts fear in the one apprehending the pain, a fear that a similar future awaits one. 5) *ἔλεος* requires a sufficient likeness between the one suffering the pain and the one apprehending the pain. 6) *ἔλεος* appears to be foreign to divinity, because divinity cannot have sufficient likeness to a human being suffering. 7) *ἔλεος* has to be distinguished from *συναλγεῖν* as a passion is distinguished from an action. *συναλγεῖν* is the act of grieving with a friend. But it is also limited in scope, as it is limited to a small circle of friends; in that respect *ἔλεος* is broader in scope. 8) *συναλγεῖν* expresses a kind of weakness associated with women in Aristotle’s mind, an association the Roman Stoics amplify by associating *Misericordia* with a vice of the soul, and the weeping of wretched and old women. I will consider each of these points, but not strictly in the order they are listed here.

1) *ἔλεος* is a pain felt at the apprehension of a pain suffered by another. *Misericordia* similarly involves the feeling or passion of pain at the sight of another’s pain. But recall that in Aristotle it was not clear that the passion is anything more than the occasion of pain at the sight of the pain of another. It does not look like suffering *with* the other. First, if we consider the instance of Achilles, his suffering is not a suffering *with* Priam as such, but suffering upon the occasion of Priam’s suffering when Achilles recalls his own father. Second, the main discussion of *ἔλεος* takes place in imaginative contexts of either dramatic tragedy or forensic debate, which cannot by their very nature involve suffering with the actual suffering of another. Finally, the absence of any substantive discussion of it in the *Ethics* appears to remove it from the exercise of virtue in the concrete circumstances of daily Athenian life in which one might encounter the actual suffering of others, and where one might thus expect Aristotle to discuss it as a suffering *with* those others.

And yet Aquinas is quite clear in his definition that it involves suffering *with* the one who is suffering. He uses “in nostro corde compassio.” ‘*Compassio*’ is obviously a compound Latin word constructed from ‘*passio*’ meaning *passion* and the prefix ‘*com*’ meaning *with*. It is not simply an absolute passion within ourselves upon the occasion of another’s suffering, but a relational passion that unites us *with* the sufferer—it is a *passion-with* or less awkwardly *suffering with*. Our heart goes out to the one suffering and suffers *with* him or her. It is a passion that in its relational character unites us to the sufferer in a way that Achilles is not united to Priam by *ἔλεος*. Thus Aquinas departs from Aristotle on the very nature of the passion as relational.

4) *ἔλεος* prompts fear in the one apprehending the pain, a fear that a similar future awaits one. Recall that Aristotle seemed to think that *Φόβος* was necessary to *ἔλεος* because those who do not fear for themselves a similar fate will not pity those who are suffering.

Aquinas does not deny that *Misericordia* may involve fear for oneself that a similar fate may await one. But such fear is a secondary consideration and not necessary to *Misericordia* in the way *Φόβος* is necessary to *ἔλεος*. In response to article 2 of question 30 whether the reason for *Misericordia* is a defect or evil in the one suffering, Aquinas argues on the basis of the relational character of compassion that the suffering of *Misericordia* only occurs insofar as one apprehends the suffering of the other as one’s own. But this apprehending of the suffering of another as one’s own expresses a kind of union between persons that can take two forms. The second form is the form that involves fear that a similar fate may befall one because of a likeness to the sufferer and thus a “real union” that exists between the one suffering and the one apprehending it. In describing this second form that *Misericordia* may exhibit, Aquinas cites *Rhetoric* II.8 and the proximity or likeness condition. “Human beings suffer concerning those to whom they are conjoined and alike, because through this they judge that a similar suffering may happen to

them.”⁵¹ Here, presumably, the likeness is a simple fact. Someone is suffering. I am like him or her in the respect in which he or she is subject to suffering. Acknowledging that likeness, I fear a similar fate may befall me. This union of likeness prompts *Misericordia*.

But the first form of union that prompts *Misericordia* is quite different from this second form, as it ignores fear and is based upon a different sort of union. It is not based upon likeness, but upon “the union of affections which is made through love.” “For, since the lover reckons the friend as another self, he reckons [the friend’s] pain as his own pain, and so he aches for his friend’s pain as if it were his own.”⁵² I want to emphasize here the difference between likeness and identity. Instead of a likeness, here we have a kind of identity of lover and beloved. And here there is no fear about the future for oneself. Why? Well presumably because the suffering is in fact already one’s own through the identity achieved by love. There is no point to fearing that it *may* befall one, because it has already befallen one through one’s love of the sufferer. And instead of citing the *Rhetoric*, as Aquinas does with the form of union through likeness, he cites *Ethics* IX.4 where Aristotle discusses *Συναλγεῖν*. “And so it is that the Philosopher puts among the characteristics of friendship to suffer with a friend.”⁵³ The relevant Latin term is ‘*condolere*’ formed from the prefix ‘*con*’ meaning ‘with’ and ‘*dolere*’ meaning ‘to suffer pain’.

So again we have the relational character of suffering *with*, but now not involving fear for oneself, but, rather, the love of one’s friend. By making this form of *Misericordia* spring from friendship, Aquinas tacitly relates it to Aristotle’s discussion in

⁵¹ “homines miserentur super illos qui sunt eis coniuncti et similes, quia per hoc fit eis aestimatio quod ipsi etiam possint similia pati,” *STh* II-II, q. 30, a. 2 co.

⁵² “Quia enim amans reputat amicum tanquam seipsum, malum ipsius reputat tanquam suum malum, et ideo dolet de malo amici sicut de suo,” *STh* II-II, q. 30, a. 2 co.

⁵³ “Et inde est quod philosophus, in IX Ethic., inter alia amicitia ponit hoc quod est condolere amico,” *STh* II-II, q. 30, a. 2 co.

books VIII and IX of the *Ethics* of the friendship in which one makes the good of another one's own in the sense of acting for the sake of the friend's good. However, love achieves more in *Misericordia* precisely because it goes beyond the good of one's friend to take on his or her suffering, to make his or her suffering one's own. Of course the suffering is related by negation or deprivation to the good of one's friend. So Aquinas is arguing that you cannot be a friend to another if making his or her good your own does not also entail making his or her suffering your own.

A crucial feature of what Aquinas has done here is precisely the stress upon *Compassio* with its relational character, where *ἔλεος* lacked that character. Aquinas thinks we can have a virtue of *Misericordia* because, while it involves a "passion of the sensitive appetite," it also involves a movement of the will. But love is the condition of the will that moves it to achieve the union of friends. So it is important to see that the passion is *compassion* because of the movement of the will which is rationally ordered proceeding from love. Thus, it isn't a matter of a "compassion" first arising in us, and only thereafter the will being moved to love accordingly. No--the will through love informed by reason orders and transforms the passion into compassion. The love of friendship precedes the compassion.⁵⁴ If there is compassion without love it is the secondary form in which we fear for ourselves. We do not have a simple case in which there is a passion, namely compassion, that is either accompanied by fear or by love. Compassion informed by fear will have a very different character from compassion informed by love; a compassion that fears for itself is without love. Indeed, the two forms of compassion only fall under the same name *Misericordia* by analogy.

Of course Aquinas would not have seen the difference in the Greek between the *ἔλεος* of the *Rhetoric* and the *Συναλγεῖν* of the *Ethics*. '*Condolere*' is the Latin verb taking the place of the Greek

⁵⁴ This precedence of Friendship to Compassion is directly opposed to the Aristotelian reading of the friendship between Priam and Achilles argued for by Marjorie Oele, in which the friendship is achieved by transcending and leaving suffering behind, a friendship that follows suffering rather than precedes it.

‘συναλγεῖν’. What is interesting here is Aquinas placing both discussions under the same heading of *Misericordia* where Aristotle had not associated them under the same term. And yet Aquinas also respects and preserves the difference between the two that is found in Aristotle by arguing that they are two different forms of *Misericordia*. So the primary case and focal meaning of *Misericordia* does not involve fear; it involves love. And in the rest of the discussion in the *Summa* Aquinas’s discussion will focus upon that first form.⁵⁵

5) *Ἐλεος* requires a sufficient likeness between the one suffering the pain and the one apprehending the pain. I have already touched upon the role of *likeness* in 4). The primary form of *Misericordia* involves not a simple likeness but an identification that is achieved through love and friendship with another. But it is worth adding here that the role of friendship in establishing this identity takes the primary form of *Misericordia* out of the context of either poetic or forensic imagination. It is perhaps not absurd to think that someone arguing a case and pursuing a favorable judgment in court may try to get the judge or jury to imagine being a friend to the accused. Nonetheless, such an imaginative friendship would not on its face be a genuine friendship or a real identification with the suffering of the accused. But it is certainly absurd to think that the point of a tragic drama is to attempt to get the audience to befriend the characters suffering in the tragedy. Perhaps one might argue that the point is

⁵⁵ Aquinas’ discussion of the love as the movement from which this primary sense of *Misericordia* arises as well as the identification with the sufferer through friendship echoes Gregory of Nyssa’s discussion of the Beatitudes, particularly the beatitude concerned with *Misericordia*. See Gregory of Nyssa, *Homilies on the Beatitudes*, an English version with commentary and supporting studies, proceedings of the Eighth International Colloquium on Gregory of Nyssa, Paderborn, 14-18 September 1998. See also Markshies, “Compassion,” 100-101, to which discussion I am indebted for this reference to Gregory’s thought. It is also relevant to point out that Aquinas cites Gregory in *STh* II-II, q. 30 a 1 ad 1 when he argues that *Misericordia* extends even to those who are suffering deservedly.

to educate the audience's passions in such a way that through imagination they more easily extend to actual human beings within one's community.⁵⁶ But then one might think that a more effective way to achieve that end would be to introduce the audience members to actual members of their community whom they could befriend, rather than to present them with imaginative examples of greatness like their own brought low in tragic drama.

It is here that we see the significance of Aquinas emphasizing the first form of *Misericordia* as involving an identification that is actively achieved through love rather than a pre-existing likeness that is passively recognized and gives rise to fear. One can through imagination fear that what befell Oedipus might befall oneself, if again through imagination one thinks one is like Oedipus. What one cannot do is make Oedipus' suffering one's own through love of him.

2) *Ἐλεος* involves a serious reversal of the good fortune of another. Aquinas writes nothing at all about the element of the reversal of fortune so characteristic of the context of *Ἐλεος* present in Aristotle's *Poetics* and *Rhetoric*. Instead, discussing the motives that prompt *Misericordia*, he focuses in article one on the frustration of happiness. Happiness is related to the fulfillment of the will. Aquinas argues early in I-II, qq. 1-28 that happiness is the *telos* of human life pursued through intellect and will in relation to the passions. Here in his discussion of *Misericordia*, he argues that the will wills in three ways: first according to natural appetite, second according to deliberate and direct choice, and third according to a cause in which one wills the effect of a cause that one has willed. And this leads to three different motives for *Misericordia*. First we are moved to *Misericordia* when someone suffers "that which is contrary to the natural appetite of the will, namely corruptive and distressing evils which are contrary to what a human being naturally desires."⁵⁷ Second we are moved even

⁵⁶ Again, see Nussbaum and Halliwell for this moralizing reading.

⁵⁷ "...illud quod contrariatur appetitui naturali volentis, scilicet mala corruptiva et contristantia, quorum contraria homines naturaliter appetunt. Unde philosophus dicit, in II Rhet., quod *Misericordia* est

more readily to *Misericordia* “if [such evils] are contrary to a voluntary choice. And so the Philosopher says that evils prompt our *Misericordia* when fortune is the cause...as when something turns out badly that we had hoped would end well.”⁵⁸ In both of these passages Aquinas refers us to *Rhetoric* II.8. In the second he makes reference to “fortune.” But that reference to fortune has nothing to do with a serious reversal of “good fortune” as described in the *Rhetoric*. It’s clear from the context in Aquinas that it pertains to some course of action not turning out as planned, and in that context “fortune” means what is due to chance rather than what is intended. So in the case of these first two motives there is no mention of a serious “reversal of fortune” from good to bad.

3) *Ἐλεος* is prompted when the suffering of another is apprehended as “undeserved.” The third motive that Aquinas gives for *Misericordia* also does not bear at all upon the “reversal of fortune” theme, but does raise the theme of whether or not the suffering is “deserved.” Thomas tells us in the same article that the third and greatest motive in us for *Misericordia* are those evils that “are wholly contrary to what is willed, as when someone has always pursued the good and yet evil befalls him. And so the Philosopher says, in the same book, that *Misericordia* is greatest concerning the distress of one who suffers undeservedly.”⁵⁹ The suggestion is that those who always strive to do good and suffer for it are the occasion of our greatest *Misericordia*. But there is no suggestion that their suffering must have been preceded by

tristitia quaedam super apparenti malo corruptivo vel contristativo,” *STh* II-II, q. 30, a. 1 co.

⁵⁸ “Secundo, huiusmodi magis efficiuntur ad *Misericordiam* provocantia si sint contra voluntatem electionis. Unde et philosophus ibidem dicit quod illa mala sunt miserabilia quorum fortuna est causa, puta cum aliquod malum eveniat unde sperabatur bonum,” *STh* II-II, q. 30, a. 1 co.

⁵⁹ “Tertio autem, sunt adhuc magis miserabilia si sunt contra totam voluntatem, puta si aliquis semper sectatus est bona et eveniunt ei mala. Et ideo philosophus dicit, in eodem libro, quod *Misericordia* maxime est super malis eius qui indignus patitur,” *STh* II-II, q. 30, a. 1 co.

success or good fortune in order for them to deserve *Misericordia*. Their striving to always do good ought to cause happiness, and yet it results in misery.

It is worth noting that this third motive opens up a possibility for Aquinas that Aristotle presumably could never see—the possibility of extending *Misericordia* to those who have always suffered, the weak, the poor, the ill from birth, and so on, so long as those in such dire circumstances strive to do good.⁶⁰ And insofar as it is in this third motive that Aquinas locates the element of “undeserved suffering,” his discussion suggests that the first two motives do not involve questions of whether the suffering is deserved. Now the second motive, insofar as it concerns chance would seem to be neutral on desert—one just suffered bad luck; chance it would seem doesn’t raise the question of desert. But, it is in the first motive that we see the possibility for extending *Misericordia* even to those who suffer justly, that is, deservedly. Presumably the pains and sufferings of punishment are, however much they are deserved, “contrary to what a human being naturally desires.” So, as we have seen, Aquinas explicitly argues in response to the first objection that *Misericordia* can extend even to those who are justly suffering through punishment. But strictly speaking *Misericordia* is not forgiveness. Forgiveness for Aquinas is related to the distinct virtue of *Clementia*. Not being a judge, I may be in no position to forgive the one being punished, and yet I may extend *Misericordia* to him.

The third motive only amplifies the first two in which there is no suggestion that *Misericordia* requires that the suffering be undeserved. *Misericordia* is greatest when the suffering is undeserved. But bad luck is not a matter of injustice and there may well be a frustration of the deepest desires of the will for happiness that has nothing to do with choices that have been made or what one has striven to achieve in one’s actions, and yet both cry out for *Misericordia*. Indeed, the third motive brings into particularly sharp relief the first. For the simple fact of being in a condition in which the deepest impulses of human nature are

⁶⁰ Nussbaum seems to see this problem in “Tragedy and Self-Sufficiency” (note #32, 123) but does not adequately address it.

frustrated opens up the possibility of extending *Misericordia* even to those who suffer and yet have not always striven to do good, indeed may never have striven to do good.

Here it is good to recall the Altar of *Ἔλεος* in Athens. While Aristotle is clear that *Ἔλεος* arises in the context of undeserved suffering and has no place where the suffering is deserved, at least one classical source tells us that the Altar of *Ἔλεος* was subject to the lamentations and supplications of those who were presumably suffering deservedly. Statius writes, "...hither came flocking those defeated in war and exiled from their country, kings who had lost their realms and those guilty of grievous crime."⁶¹ Presumably if one is guilty of a grievous crime the suffering in virtue of which one is pleading before the Altar of *Ἔλεος* is in large measure deserved. And so Aquinas's capacity to see a place for *Misericordia* in contexts in which one is suffering deservedly places his thought on it closer to common Athenian religious piety than to the discussion of *Ἔλεος* we get among the philosophers, particularly Aristotle.

7) *Ἔλεος* has to be distinguished from *Συναλγεῖν* as a passion is distinguished from an action. We've seen that Aquinas considers *Misericordia* as bearing upon both a passion of the sensitive appetite and a movement of the will bearing upon action. The passion of the sensitive appetite parallels Aristotle's *Ἔλεος* while the movement of the will parallels *Συναλγεῖν*. And we saw that there is a form of *Misericordia* that covers the association of *Ἔλεος* with *Φόβος* and yet another form of *Misericordia* that covers *Συναλγεῖν*. So clearly Aquinas associates the passion with the action in a way that Aristotle does not. In particular the mere likeness associated with *Ἔλεος* becomes an identity of *compassion* and is an achievement of friendship associated with *Συναλγεῖν*. However, *Misericordia* as defined does not extend only to compassion of either sort, that is, the passion alone. It proceeds to alleviating the suffering "if one can." In Aristotle there was no discussion of alleviating the suffering in either the case of *Συναλγεῖν* or *Ἔλεος*. Ironically, it was the Stoics who were

⁶¹ Statius, *Thebaid*. XII.507-509.

concerned with acting to alleviate the suffering, although doing so is seen to proceed from a vice if it is so motivated by *Misericordia*.

Recall that the association of *Συναλγεῖν* with friendship was a reason for Aristotle to keep the circle of one's friends fairly small, in particular smaller than the circle of human beings to whom one might bear a likeness. Aquinas does not discuss the scope of friendship that is relevant to *Misericordia* in this question in the *Summa*. However, in his discussion of whether Friendliness is a virtue in II-II, q. 114 he provides some guidance. Considering an objection that to treat a stranger as a friend would involve a certain dishonesty, he makes two points. First that "every human being is naturally a friend to every [other] by a certain general love." Citing Ecclesiasticus (Sirach)13:19, he claims this general love is grounded in the likeness of human animal nature. "...as every animal loves its like."⁶² However, it is not an undifferentiated and abstract love of or friendship for humanity as such; this general love is a kind of imperfect friendship, for "[one] does not show the perfect signs of friendship to [strangers], because one does not treat [them] with the same familiarity as one does those to whom one is joined by a particular friendship."⁶³

In other words, concerning *Misericordia* the question isn't how far to extend it and how to limit it to one's friends, as it was with Aristotle's *Συναλγεῖν*. Friendship ought to extend to all human beings. As one moves in from that universal scope, it takes on a perfection according to greater proximity as one achieves friendships making the particular good of particular others one's own. Similarly, *Misericordia* ought to extend out to the edges of humanity as a simple fact of human nature, but take on a particular perfection insofar as one makes the particular suffering of particular others one's own. But if that is the case with

⁶² "...omnis homo naturaliter omni homini est amicus quodam generali amore, sicut etiam dicitur Eccli. XIII, quod omne animal diligit simile sibi..." *STh* II-II, q. 114, a. 1 ad 2.

⁶³ "Non enim ostendit eis signa perfectae amicitiae, quia non eodem modo se habet familiariter ad extraneos sicut ad eos qui sunt sibi speciali amicitia iuncti," *STh* II-II, q. 114, a. 1 ad 2.

Misericordia it does not give one a reason to limit one's friendships, but, rather, a reason to enrich, deepen, and perfect where possible, "if we can," the friendship one ought already to have with all human beings.

Here Aquinas gives a particularly mundane but touching example in commenting on Bk.VIII of Aristotle's *Ethics*. "...there is the natural friendship which every man has to one another in turn, according to the natural likeness of *species*....This is most clear with those straying along the roads. For everyone calls back even an unknown and foreign stranger from going the wrong way, as if every man is naturally an acquaintance and a friend of every other man."⁶⁴ Presumably being lost along the road is a kind of suffering, although it may not be particularly great. One reaches out to assist those who are lost along the way, even the stranger, because of one's compassion for a friend. Of course "lost along the way" can be given both a literal sense and a moral sense. And this image of coming across someone on the road is reminiscent of the story of the Good Samaritan in which the Samaritan happening upon a man on the road is described in the Vulgate as a man of *Misericordia* or in Luke's Greek *Ἐλεος*.

6) *Ἐλεος* is foreign to divinity, because divinity does not have sufficient likeness to a human being suffering. I think all of the previous departures from Aristotle that we have seen in Aquinas point toward the culmination of the most striking claim that Aquinas makes in question 30 about *Misericordia*, namely, that *considered in itself* it is the greatest of all virtues because it is the most godlike virtue. Considered in itself he argues that it is even greater than *Caritas*. He acknowledges that if you consider it in its subject, then in us *Caritas* is greater than *Misericordia*, because while *Caritas* directs us in love to that which is higher, namely

⁶⁴ *In Eth*, Liber VIII, lc 1, 1541: "Et maxime est naturalis amicitia illa, quae est omnium hominum ad invicem, propter similitudinem naturae speciei...ut manifeste apparet in erroribus viarum. Revocat enim quilibet alium etiam ignotum et extraneum ab errore, quasi omnis homo sit naturaliter familiaris et amicus omni homini."

God, *Misericordia* directs us in love to that which is lower, namely, those who suffer.

But keep in mind this directing to what is lower is not a self-satisfied beneficence or pity that remains as it is while attempting to assist those who suffer. This directing of *Misericordia* to what is lower is an identification through love with what is lower—the love of friendship prompts one to identify with the weak, and in compassion unites the strong with the weak and those who suffer making their suffering one's own, only thereafter to assist those who suffer. Strength in a way first weakens itself in this identification of friendship by descending to those who have been brought low by their suffering. Recall that the Good Samaritan descends from his mule, stoops down to pick up the man set upon by thieves, and then raises him up to ride upon the mule. It is an odd and unfortunate fact that the English word “condescend” has taken on a very negative connotation, since etymologically it simply means to lower oneself to be with others.

Aquinas acknowledges that the impassibility of divinity as such means that it cannot suffer the passion associated with *Misericordia*. However, insofar as *Misericordia* is a virtue bearing upon the movement of the will informed by understanding, a movement of the will that terminates in an operation giving succor or assistance to those who suffer, it can be attributed to divinity as divinity can achieve the object of the virtue which is to alleviate suffering.⁶⁵

8) *Συναλγεῖν* expresses a kind of weakness associated with women in Aristotle's mind, an association the Roman Stoics amplify by associating *Misericordia* with a vice of the soul, and the weeping and tears of “wretched and old women.” While Aquinas makes much of the identification through friendship with those who suffer and may be weak, there is no particular

⁶⁵ Aquinas doesn't address the following in question 30. But if God were to unite Himself to humanity through love, and befriend us in our humanity, if He were to “condescend”, then presumably He could make our suffering his own, adopting our passion as His own compassion. That is by and large the topic of the third part of the *Summa Theologiae*.

association of *Misericordia* with mothers. It pertains to all human beings, male or female, and his term is entirely general throughout—*homo* not *vir*. It is not a vice of the soul as the Stoics had claimed, but a virtue of human beings. And even though his main source for his own later discussion of the different virtue of *Clementia* is Seneca, neither there nor here in the discussion of *Misericordia* does he so much as mention Seneca's reference to wretched and old women.

On the other hand, Aquinas explicitly associates *Misericordia* with weeping and tears. When he distinguished the two forms of *Misericordia* in 30.2, the one associated with friendship as mentioned in *Ethics* IX.4 and the one associated with fear as mentioned in the *Rhetoric*, he cites Romans 12:15 to characterize the first form of *Misericordia* that goes with friendship and love. "Rejoice with those who rejoice, and weep with those who weep."⁶⁶ The *Misericordia* of friends does not avoid tears, but begins in them.

Conclusion

In conclusion, within the context of developing *Sacra Doctrina*, Aquinas takes a virtue he thinks can be found in Aristotle and transforms it in ways that directly oppose or go well beyond various positions Aristotle took with regard to it, and also definitively rejects the Stoic abuse of it. But he continues to maintain that it is a moral and thus a natural virtue. The occasion for this transformation is the opportunity to think about the relationship between *Caritas*, a theological virtue, and one of its effects *Misericordia*. The result of *Misericordia* remaining a natural moral virtue in Aquinas, is that even as he transforms it against the background of *Sacra Doctrina*, insofar as his analysis is correct we can see how inadequate the philosophers' treatments of it are, treatments bordering on failure, achieved after a very long time, with a great deal of error. On its own terms, the pagan

⁶⁶ "Et apostolus dicit, In Rom XII, gaudere cum gaudentibus, flere cum flentibus," *STh* II-II, q. 30, a. 2 co.

philosophical conception of *Eudaimonia* and the role of the virtues within it is seen to be inadequate on its own terms for failing to develop a virtue pertaining to suffering and the passion we experience upon the apprehension of it. I think the setting of this transformation that leaves intact its character as a natural virtue makes it all the more striking that Aquinas claims *Misericordia* is the most Godlike virtue. We should recall that the prologue to the second part of the *Summa* in which the discussion of *Caritas* and *Misericordia* takes place, tells us that it is concerned with God's image, "that is, a human being, insofar as he is the principle of his own acts, having free will and power over his acts."⁶⁷ Aquinas of course knows that Jesus wept. Indeed, it is reported in Scripture that Jesus, "a man of sorrows and acquainted with grief," wept at least three times *in hac lachrymarum valle*.⁶⁸

⁶⁷ *STh I-II prol*: "...restat ut consideremus de eius imagine, idest de homine, secundum quod et ipse est suorum operum principium, quasi liberum arbitrium habens et suorum operum potestatem."

⁶⁸ I'd like to thank Gary Anderson, Jon Buttaci, Kevin Flannery, Doug Henry, Alasdair MacIntyre, and David O'Connor for their very helpful comments in the writing of this paper.

* A NOTE ON TRANSLATION

When I translate a Latin text I will leave *Misericordia* untranslated. As my discussion will span the Greeks and the Ancient Romans, translating *Misericordia* with either the term ‘mercy’ or ‘pity’ can lead to unnecessary confusion in scholarly discussion. Often in contemporary religious contexts it will be translated with the term ‘mercy’, as in the Catholic prayer *Salve Regina*, “*Mater misericordiae*” will be translated “Mother of mercy.” However in contemporary philosophical discussion in English much of the discussion of Mercy is confined to questions of legal Justice. When is Mercy required if at all in the imposition of or mitigation of a just punishment? But in Aquinas that discussion of punishment and mitigation bears upon the distinct virtue of *Clementia* not *Misericordia*. See *Summa Theologiae*, IIaIIae.157. In addition the etymology of ‘mercy’ ultimately comes from the Latin *merces* meaning wages, fee, bribe, rent, price, or commodity, and is related to the roots of such words as ‘mercantile’, ‘merchant’, ‘mercenary’, and possibly ‘market’. All of these terms place ‘mercy’ etymologically within the context of due exchange and thus questions of Justice. In Portia’s famous soliloquy on Mercy from *The Merchant of Venice* (“The quality of mercy is not strained....”) she is talking about what Aquinas would identify as *Clementia* not *Misericordia*. As we will see, *Misericordia* is not set within the discussion of Justice and what is due to another. Etymologically it bespeaks misery in one’s heart. Perhaps of some surprise is that the English term ‘miser’ is related to it, since a miser is thought to be suffering in his attitude toward money. Ironically the miser Silas Marner in George Eliot’s novel is ultimately saved from his misery concerning money by his *Misericordia* directed at the abandoned child Eppie. ‘Pity’ is often used to translate the Greek term *ἔλεος* and cognates. As we will also see the discussion of *Misericordia* in Latin has its roots in the Greek discussion of *ἔλεος*, a feeling of pain upon the apprehension of the pain of another. Further confusion arises in translation when the Greek prayer *Κύριε, ἔλεῆσον* in the Roman Catholic Mass is translated as “Lord, have mercy,” not “Lord, have pity.” The etymology of ‘pity’ comes from the Latin *pietas* which in post-

classical Latin picked up the note of compassion. That might argue for the use of 'pity' as a better translation of *Misericordia*. Indeed, the contemporary philosophical discussion of Pity as opposed to Mercy is related to the classical discussion of *ἔλεος*. Unfortunately, however, 'pity' in English has come to take on a negative connotation of a kind of self-satisfied looking down upon those who suffer or are weak. But as we will see, that kind of looking down upon those who suffer is excluded by *Misericordia*. So it seems that in contemporary English both 'mercy' and 'pity' lead to confusion as translations of *Misericordia*. For these brief remarks about the etymologies of the respective words in English see the *Oxford English Dictionary Online* <http://www.oed.com/>. So, when I translate a Latin text, I will leave *Misericordia* untranslated. However, when quoting another translation, either from the Greek or the Latin, I will quote the text as is, while indicating in brackets the root word in the original.